12-31-01

Docket No. 4208-4041

Express Mail No. **EL853254940US**

27123

↑**AFFIX** CUSTOMER NO. LABEL ABOVE ↑

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND FEE TRANSMITTAL §(1.53(b))

Commissioner for Patents
Washington, DC 20231

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

(1)   Rod Walsh
        Maentakusenkatu 17 A 3,
        33580 Tampere
        Finland

(2)   Mika Grundstöm
        Sirppitie 7
        33100 Tampere
        Finland

☒   Additional inventors are listed on a separate sheet

For: Method to Improve Perceived Access Speed to Data Network Content Using a Multicast
        Channel and Local Cache

Enclosed Are:

____11__ page(s) of specification
____1__ page(s) of Abstract
____4__ page(s) of claims
____3__ sheets of ☒ Formal ☐ Informal drawings
____7__ page(s) of Declaration and Power of Attorney

        ☐ Unsigned
        ☒ Newly Executed
        ☐ Copy from prior application
        ☐ Deletion of inventors including Signed Statement under 37 C.F.R. §1.63(d)(2)

666568 v1   EL853254940US

☒ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**
As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☐ Incorporation by Reference:

    ☐ The entire disclosure of the prior application, from which a copy of the combined Declaration and Power of Attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.

☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b)

Signed statement attached deleting inventor(s) named in the prior application serial no. _____, filed _____.

☐ Microfiche Computer Program (Appendix)

    ☐ page(s) of Sequence Listing
    ☐ computer readable disk containing Sequence Listing
    ☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

☒ Assignment Papers (assignment cover sheet and assignment documents)

    ☐ A check in the amount of $40.00 for recording the Assignment
    ☒ Charge the Assignment Recordation Fee to Deposit Account No. 13-4500, Order No. 4208-4041.
    ☐ Assignment Papers filed in the parent application Serial No.

☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

☐ Priority is claimed under 35 U.S.C. §119 for:
Application No(s). _____ , filed _____, in _____ (country).

    ☐ Certified Copy of Priority Document(s) [_____]
        ☐ filed herewith
        ☐ filed in application Serial No. _____, filed _____.
    ☐ English translation document(s) [_____]
        ☐ filed herewith
        ☐ filed in application Serial No. _____, filed _____.

☐ Priority is claimed under 35 U.S.C. §119(e) for:
Provisional Application No. _____, filed _____.

☒ Information Disclosure Statement

    ☒ Copy of [7] cited references

    ☒ PTO Form-1449

    ☐ References cited in parent application Serial No. _____, filed _____.

☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)

    ☐ A copy of related pending U.S. Application(s) Serial No(s): _____, filed _____, respectively, is attached hereto.

    ☐ A copy of related pending U.S. Application(s) entitled, _____, filed _____ to inventor(s) _____, respectively, is attached hereto.

    ☐ A copy of each related application(s) was submitted in parent application serial no. _____, filed _____.

☐ Preliminary Amendment

☒ Return receipt postcard (MPEP 503)

☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part of prior application serial no. _____, filed _____, to which priority under 35 U.S.C. §120 is claimed.

    ☐ Cancel in this application original claims _____ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

    ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).

☐ The status of the parent application is as follows:

    ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until _____.

    ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.

    ☐ No Petition for Extension of Time and Fee therefor are necessary in the co-pending parent application.

☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.

☐ Transfer the drawing(s) from the parent application to this application

☐ Amend the specification by inserting before the first line the sentence:
This is ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. _____, filed _____.

I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee $740.00/370.00
Total Claims	23- 20 =	3x	$18.00/ $9.00	$ 54
Independent Claims	6- 3 =	3x	$84.00/ $42.00	$ 252
☐ Multiple Dependent Claims		If marked, add fee of $280.00 ($140.00)		$
			TOTAL:	$ 1046

☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith
$_____.

☐ A check in the amount of $_____ in payment of the application filing fees is attached.

☒ Charge fee to Deposit Account No. 13-4500, Order No. 4208-4041. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4041. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 21, 2001   By: _____
                                      Peter N. Fill
                                      Registration No. 38,876

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):   Rod Walsh et al.

                                   Group Art Unit: TBA

Serial No.:   TBA

                                   Examiner: TBA

Filed: December 21, 2001

For: METHOD TO IMPROVE PERCEIVED ACCESS SPEED TO DATA NETWORK CONTENT USING A MULTICAST CHANNEL AND LOCAL CACHE

EXPRESS MAIL CERTIFICATE

Express Mail Label No.:   **EL853254940US**

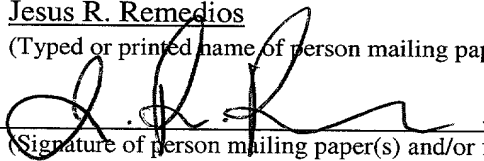Date of Deposit: **December 21, 2001**

    I hereby certify that the following attached paper(s) and/or fee

1. Utility Application and Fee Transmittal (in duplicate)
2. Specification (11 pages); Abstract (1 page); Claims (4 pages); Drawings (3 sheets)
3. Executed Declaration and Power of Attorney (7 pages)
4. Executed Assignment (2 pages) and Recordation form cover sheet
5. Information Disclosure Statement (2 pages)
6. PTO 1449 (1 page)
7. Copies of 7 cited references
8. Request and Certification under 35 U.S.C. 122(b)(2)(B)(i)
9. Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to Commissioner for Patents, Washington, DC 20231.

Jesus R. Remedios
(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
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(212) 758-4800 Telephone
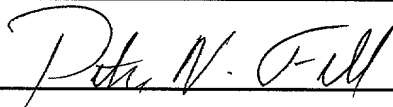(212) 751-6849 Facsimile

671721 v1

		Application No.	TBA
REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)		Filing Date	12/21/01
		First Named Inventor	Rod Walsh
		Group Art Unit	
		Examiner Name	
		Atty Docket No.	4208-4041

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. §122(b).

This request is signed in compliance with 37 C.F.R. §1.33(b) and is being submitted with the application **at the time of filing**.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	*Peter N. Fill* (signature)	Date	12/21/01
Name (Print/Type)	Peter N. Fill	Reg. No. (Atty/Agent)	38,876

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. §122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. §122(b)(2)(B)(iii)).**